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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,821	11/20/2003	Shinichi Nishiyama	16869P-098800US	3306

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EXAMINER

HOFFBERG, ROBERT JOSEPH

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/719,821	Applicant(s) NISHIYAMA ET AL.	
	Examiner Robert J. Hoffberg	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-18 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/20/03 2/28/05</u> | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

2. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.
3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. The disclosure is objected to because of the following informalities: the abstract is more than 150 words.

Appropriate correction is required.

Claim Objections

5. Claim 1 is objected to because of the following informalities: change “are accommodated are accommodated” to “are accommodated”. Appropriate correction is required.

Allowable Subject Matter

6. Claims 1-18 are allowed.

The following is an examiner's statement of reasons for allowance: The allowability resides in the overall structure of the apparatus as recited in independent claim 1, and at least in part, because claim 1 recites a casing; a vent in the ceiling of the casing; a first (upper stage) accommodating electronic device box (hereafter first box); a second (lower stage) accommodating electronic device box (hereafter second box); a hollow duct in the first box with a first end facing the vent and a second facing the second box; an air path from the second box passing through the inside of the duct; and an air path from the first box passing along exterior to the outer walls the duct. See applicant's Figure 15.

The closest references to the present invention are believed to be as follows:

Andersson et al. (US 5,398,158) and Sugiyama et al. (US 6,052,282) teach first and second boxes in a casing with a vent in the ceiling but teach a duct adjacent to (not within) the first box to permit an air path from the second box to the vent. Andersson et al. further teaches the arrangement of boxes not only in a vertical, but also side-by-side and back-to-back horizontally positions.

Fukuda et al. (US 6,927,980) teaches first and second boxes in a casing with a vent in a ceiling but teaches a common duct serving both boxes. Fukuda et al. further teaches a central duct servicing two sets of first and second boxes arranged in a side-by-side position.

Garnett et al. (US 6,778,386) teaches first and second boxes arranged in a horizontal manner in a casing with a duct passing through the first box arranged in a horizontal but does not teach the first box above the second box.

Mistry et al. (US 5,832,988) and Drier et al. (US 6,119,768) teach first and second boxes a duct and a vent in a casing but does not teach an air path from the first box discharging through a vent in the ceiling of the casing.

Moizer (US 6,678,156) and Coglitore (US 2005/0168945) teach first and second boxes in a casing but teach a common duct serving both boxes. Coglitore further teaches a central duct servicing two sets of first and second boxes arranged in a side-by-side position.

Koike (US 5,544,012) teaches first and second boxes and a duct in a casing having a combined air path from both boxes and a vent that is not in the ceiling.

Smith (US 6,198,628) teaches first and second boxes in a casing with a vent in the ceiling but does not teach a duct.

Okuyama et al. (US 4,774,631) teaches first and second boxes in a casing but does not teach a duct.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

None of the cited references, either taken alone or in combination is believed to render the present invention unpatentable as claimed.

Conclusion

This application is in condition for allowance except for the following formal matters: specification (abstract).

No amendment affecting the scope of the claims is allowed. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

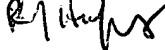
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

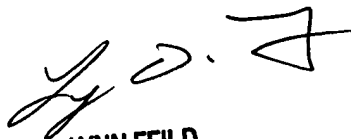
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJH 


LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800